

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

DANIEL P. HARGROVE,	:	Case No. 1:17-cv-560
	:	
Plaintiff,	:	Judge Timothy S. Black
	:	Magistrate Judge Karen L. Litkovitz
vs.	:	
	:	
CO HOLLEY, <i>et al.</i> ,	:	
	:	
Defendants.	:	
	:	

**DECISION AND ENTRY
ADOPTING THE REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE (Doc. 46)**

This case is before the Court pursuant to the Order of General Reference to United States Magistrate Judge Litkovitz. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court and, on August 1, 2018, submitted a Report and Recommendation. (Doc. 46). No objections were filed.

As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that the Report and Recommendation should be and is hereby **ADOPTED** in its entirety.

Accordingly, for the reasons stated above:

- 1) Defendants' motion to dismiss (Doc. 24) is **GRANTED** as to Defendant Hubbard;

- 2) Defendants' motion to dismiss (Doc. 24) is **DENIED** as to Defendant Holley;
and
- 3) Plaintiff's motion to change name and serve proper defendant (Doc. 45) is
DENIED.

IT IS SO ORDERED.

Date: 8/22/18

T. Black
Timothy S. Black
United States District Judge